

**STAFF MEETING MINUTES  
LANCASTER COUNTY BOARD OF COMMISSIONERS  
COUNTY-CITY BUILDING  
MEETING ROOM #113  
THURSDAY, MARCH 4, 1999  
8:15 A.M.**

Commissioners Present: Kathy Campbell, Chair  
Linda Steinman  
Bernie Heier  
Bob Workman  
Larry Hudkins

Others Present: Kerry Eagan, Chief Administrative Officer  
Diane Staab, Deputy County Attorney  
Bruce Medcalf, County Clerk  
Gwen Thorpe, Deputy County Clerk  
Ann Taylor, County Clerk's Office

**AGENDA ITEM**

**1 APPROVAL OF COUNTY BOARD STAFF MEETING MINUTES OF TUESDAY,  
MARCH 2, 1999**

**MOTION:** Hudkins moved and Heier seconded approval of the minutes. On call Hudkins, Heier, Steinman, Workman and Campbell voted aye. Motion carried.

**2 ADDITIONS TO THE AGENDA**

- a. Fire at Lancaster Manor
- b. Vacation Request from Mike Thurber, Corrections Director, for March 31 - April 6, 1999
- c. Microcomputer Request from the Attention Center, C#99052, in the amount of \$2,074.84, for two Compaq Deskpro Computers
- d. Microcomputer Request from the Register of Deeds, C#99050, in the amount of \$962.90, for Ten (10) Additional Novell Licenses, for two Compaq Deskpro Computers
- e. Vacation Request from Russ Shultz, Noxious Weed Control Authority Superintendent, for March 15 - 19, 1999
- f. Nebraska Liquor Control Commission
- g. Ecological Advisory Committee Report

**MOTION:** Heier moved and Steinman seconded approval of the additions to the agenda. On call Heier, Steinman, Hudkins, Workman and Campbell voted aye. Motion carried.

### **3 LEGISLATIVE UPDATE - Gordon Kissel, Legislative Consultant**

Gordon Kissel, Legislative Consultant, presented a brief legislative update (Exhibit A), reporting on a meeting held with Senators Thompson and Pedersen to work on putting together a package of juvenile justice bills for the Judiciary Committee's consideration. This package includes LB 472, which transfers the secure youth confinement facility from the Department of Corrections to the Office of Juvenile Services; LB 610, which changes provisions relating to costs of care and treatment of juveniles; and LB 652, which provides for a juvenile correctional facilities master plan and increases the cigarette tax. The amendment to accomplish this is being drafted and Senator Thompson has indicated that she will take LB 652 (as amended) as her priority bill.

Steinman noted that LB 652 provides that custody placement be at the discretion of Office of Juvenile Services (OJS), with possible input from the Juvenile Court. It also requires the State to pay placement costs from the date of the court order, which the County Board deemed crucial.

The Board requested Steinman to contact the Juvenile Court Judges and apprise them of the jurisdictional issue in the proposed legislation.

Kissel also reported that LB 179, which changes homestead exemption provisions, was advanced by the Revenue Committee. Senator Preister has prioritized this bill.

Workman suggested that the County Board oppose LB 406, which requires property owners to pay for refuse removal, noting that the Lincoln-Lancaster County Health Department supports the bill.

The Board requested that a Health Department representative appear at the Thursday, March 18<sup>th</sup> County Board Staff Meeting to explain their position on the bill.

The Board also discussed setting a date for a meeting with State Senators and the Douglas and Sarpy County Boards. Kissel suggested that the meeting be delayed until the language on LB 652 is drafted for presentation to the Senators. Additional bills suggested for inclusion in a handout for the State Senators were:

- \* LB 73, which changes procedures relating to certain grand juries
- \* LB 414, which transfers the office of Clerk of the District Court to a State reimbursed position

#### **ADDITIONS TO THE AGENDA**

- a. Fire at Lancaster Manor

Hudkins reported briefly on a recent fire in a commercial dryer at Lancaster Manor.

Eagan noted there is concern that a chemical in mopheads that were placed in the dryer may have caused the fire, so disposable mopheads will be used in the future.

- a. Vacation Request from Mike Thurber, Corrections Director, for March 31 - April 6, 1999

**MOTION:** Hudkins moved and Workman seconded approval. On call Hudkins, Workman, Steinman, Heier and Campbell voted aye. Motion carried.

- b. Microcomputer Request from the Attention Center, C#99052, in the amount of \$2,074.84, for two Compaq Deskpro Computers

Board consensus to defer the request until next year's budget.

- c. Microcomputer Request from the Register of Deeds, C#99050, in the amount of \$962.90, for Ten (10) Additional Novell Licenses

**MOTION:** Steinman moved and Hudkins seconded to approve the request, contingent upon an assurance from the Register of Deeds that the Novell Licenses are needed and other licenses are not available for transfer. On call Steinman, Hudkins, Heier, Workman and Campbell voted aye. Motion carried.

- d. Vacation Request from Russ Shultz, Noxious Weed Control Authority Superintendent, for March 15 - 19, 1999

**MOTION:** Hudkins moved and Workman seconded approval. On call Hudkins, Workman, Steinman, Heier and Campbell voted aye. Motion carried.

- e. Nebraska Liquor Control Commission

Workman reported on a conversation with Frosty Chapman, Nebraska Liquor Control Commission, in which Chapman indicated that the County Board may include restrictions in its liquor license recommendation that the Nebraska Liquor Control Commission will then make a condition of that license.

The Board requested the County Clerk to order three copies of the *Nebraska Liquor Control Act and Rules and Regulations of the Liquor Control Commission* for placement in the offices of the County Commissioners, County Clerk and County Attorney.

The Board also requested that a review of the County's resolution on liquor licenses be scheduled on the agenda for the Thursday, April 8<sup>th</sup> County Board Staff Meeting and that Frosty Chapman, Nebraska Liquor Control Commission, be invited to attend that meeting.

- f. Ecological Advisory Committee Report

This report is included under Board Member Meetings.

**4 CHANGE OF ZONE NO. 183, AGRICULTURE (AG) TO BUSINESS (B), SOUTH & WEST OF NW 70<sup>TH</sup> & AGNEW ROAD** - Mike DeKalb, Planning Department; Larry Worrell, County Surveyor

Mike DeKalb, Planning Department, provided a brief history with regards to Change of Zone No. 183, a request to change the zoning designation on a 2.14 acre parcel of land south of Agnew (NW 70<sup>th</sup> Street and Agnew Road) from Agriculture (AG) to Business (B), for location of a heating and air conditioning business (Exhibit B).

DeKalb noted the applicant is willing to locate the business on an alternative site west of Agnew, on the south side of Agnew Road. This parcel would address traffic concerns and meet the Lincoln-Lancaster County Health Department's minimum lot requirement for septic/lagoon systems. It will, however, necessitate the applicant making re-application for a zoning change and delay the process by at least 60 days to meet publication and public hearing requirements.

The Board concurred with the alternative site and requested DeKalb to notify the applicant that the change of zone process can be expedited by withdrawing the original request and immediately submitting a new application.

DeKalb reported briefly on County Board of Zoning Appeal No. 106, a request for a variance of the side yard from 51.25' to 20' for location of a pole barn (Exhibit C).

Campbell noted that the Nebraska Revised Statutes require that a unique hardship to the land must be proven for the appeal to be granted.

DeKalb also reported that Charlie Wiechert is resigning from the County Board of Zoning Appeals.

The Board requested DeKalb to provide a list of the remaining members and their corresponding terms.

**5 FORM OF COUNTY BOARD AGENDA** - Bruce Medcalf, County Clerk; Gwen Thorpe, Deputy County Clerk

Brief discussion took place, with consensus to proceed with the following changes to the County Board agenda:

- \* Delete the *Public Participation* and *Comments from Public on Agenda Items* items from the agenda
- \* Add a *Special Presentations* item to the agenda
- \* Include language at the bottom of the first page of the agenda with regards to special consideration requests
- \* Attach a cover sheet to the front of the agendas, welcoming the public to the meeting and explaining the process for testimony and public participation

The Clerk will announce prior to the meeting that agendas are available and will distribute copies to anyone in the audience requesting one.

The Board also requested that:

- \* An acknowledgment of sworn testimony be added to the sign-in sheet for public testimony
- \* A letter be sent to all County agencies directing that contracts be submitted to Diane Staab, Deputy County Attorney, for review prior to placement on the agenda
- \* Public participation information be posted on the InterLinc website
- \* Identification of staff be added to the bottom of the video screen during testimony
- \* Citizen Information Center be contacted to determine whether one monitor can display the agenda during the meeting

Hudkins left the meeting.

## **6 YOUTH DETENTION FACILITY FINANCING**

**MOTION:** Steinman moved and Heier seconded to request that Bill Giovanni, Ameritas Investment Corporation, begin preparation of documents necessary for bond financing of the new juvenile detention facility. On call Steinman, Heier, Workman and Campbell voted aye. Hudkins was absent from voting. Motion carried.

## **7 MEDIATION AND PRETRIAL DIVERSION** - Gary Lacey, County Attorney; Betsy Kosier, Lincoln Lancaster Mediation Center Executive Director; Penny Berger, Lincoln Lancaster Mediation Center Board; Anne Hobbs, Juvenile Diversion Program Manager

Gary Lacey, County Attorney, requested the County Board to reconsider a request made in December, 1998 to fund continuation of the Lincoln/Lancaster Mediation Center Victim/Offender Mediation Program, which was established through a \$50,000, one year, federal grant through the Office of Juvenile Justice and Delinquency Prevention (OJJDP). The grant funds were depleted by September, 1998 and the Lincoln Lancaster Mediation Center has since incurred \$17,430 in expenses related to continuation of the program.

Campbell noted that the Board's decision to include the proposal in an assessment by the juvenile justice system stakeholders of how to most effectively spend funds targeted for juvenile justice was based upon the perception that the request was to fund a pilot program, rather than continuation of an existing program. She asked why a request to fund the program was not submitted with the budget in July.

Betsy Kosier, Lincoln Lancaster Mediation Center Executive Director, stated that the Juvenile Justice Review Committee (JJRC) had encouraged them to seek a grant through the Nebraska Crime Commission to continue funding of the program. That grant was turned down as the program was considered to be intervention, rather than a prevention, in nature.

Kosier presented data with regards to Lincoln/Lancaster Mediation Center Victim/Offender Mediation Program cases, client evaluation, restitution examples and unreimbursed mediation services (Exhibit D).

Penny Berger, Lincoln Lancaster Mediation Center Board, reported that one Lincoln Lancaster Mediation Center staff member has resigned her position and two staff members are voluntarily working without pay, as there is no longer funding available to support their positions. She stated that Lincoln Lancaster Mediation Center Board will be forced to discontinue the program unless an infusion of funds in the amount of \$17,430 is received. Berger indicated that \$41,853 would be required to fund the program next year.

Anne Hobbs, Juvenile Diversion Program Manager, reported that her agency strongly supports the program and is willing to reduce its request for additional staff, if those funds could be diverted to continuation of the program. She noted that many of the youth involved in the program are close to qualifying for incarceration and intense intervention through the mediation process may help prevent recidivism.

Lacey reported that he has initiated steps to extend the use of mediation in court cases, prior to the judge's imposition of sentence.

In response to a question from Campbell, Lacey stated that some funding may be available in the future through a Juvenile Accountability Block Grant.

**MOTION:** Heier moved and Workman seconded to continue funding of the Lincoln/Lancaster Mediation Center Victim/Offender Mediation Program and to provide funding up to \$17,500 through the end of the fiscal year, with Dave Kroeker, Budget & Fiscal Officer, determining the appropriate budget category. On call Heier, Steinman, Workman and Campbell voted aye. Hudkins was absent from voting. Motion carried.

## **8 CONSENT ITEMS**

- a. Request from the Lincoln Action Program to Utilize the Parking Lot East of Trabert Hall on Saturday Afternoons During the Spring and Summer of 1999 for Distribution of Donated Produce

Campbell requested that this item be removed from the Consent Calendar for discussion.

Board members noted the following concerns:

- \* Product liability
- \* Disposal of remaining produce
- \* Advertisement of the distribution
- \* Traffic congestion

Board consensus to defer this item, pending additional information.

## 9 ADMINISTRATIVE OFFICER REPORT

- a. March Management Team Meeting

Board consensus to schedule this meeting on March 18<sup>th</sup>.

- b. Rural Address Committee Update

Eagan reported briefly on the progress of the Rural Address Committee noting a recommendation that a parcel based address database be developed, which will run off of the County Assessor's ORACLE (relational database management) system, utilizing the Geographic Information System (GIS) and ArcInfo (software for GIS). A sample data run will be conducted in the Hickman area.

- c. Agenda for Common Meeting on March 19, 1999

Eagan reported that agenda items include the Human Services Needs Assessment, a Y2K report from Emergency Management's perspective and an update on Comprehensive Plan Amendments.

- d. Emergency Management Director

Eagan reported on salary negotiations held with Doug Ahlberg, the newly appointed Emergency Management Director.

**MOTION:** Hudkins moved and Steinman seconded to authorize a salary of \$50,000 for the position of Emergency Management Director, with a review of that salary and comparability in September, 1999. On call Hudkins, Steinman, Workman, Heier and Campbell voted aye. Motion carried.

## 10 DISCUSSION OF BOARD MEMBER MEETINGS

- a. General Assistance Monitoring Committee - Campbell, Steinman

Steinman reported that discussion focused on pharmacy service provision with consensus to explore the following options:

- \* Request for Proposal (RFP) for a sole pharmacy provider
- \* Point of Service (POS) Plan

- b. Board of Health - Hudkins

No report was given.

c. Ecological Advisory Committee

Heier reported that discussion focused on the wording of the vision, purpose and mission statements.

**16 EMERGENCY ITEMS AND OTHER BUSINESS**

Board consensus to tour County agencies on Thursday, April 1, 1999.

**17 ADJOURNMENT**

By direction of the Board, the meeting was adjourned.

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Bruce Medcalf  
Lancaster County Clerk